



WESTFIELD-WASHINGTON

ADVISORY PLAN COMMISSION

FIRST MEETING

September 7, 2010

1009-REZ-01 & 1009-DP-09 & 1009-SIT-07

PETITION NUMBERS:	1009-REZ-01 & 1009-DP-09 & 1009-SIT-07
SUBJECT SITE ADDRESS:	4160 State Road 32 West
PETITIONER:	Daniel Delullo
REQUEST:	<ol style="list-style-type: none">1. Change in Zoning for approximately 1.3 acres from SF-5 to General Business (GB); and,2. Development Plan Review and Site Plan Review for a new parking lot.
CURRENT ZONING:	SF-5
CURRENT LAND USE:	Residential
APPROXIMATE ACREAGE:	1.3
STAFF REVIEWER:	Kevin M. Todd, AICP
ZONING HISTORY	None
EXHIBITS:	<ol style="list-style-type: none">1. Staff Report2. Petitioner's Proposal

PETITION HISTORY

This change in zoning petition was introduced at the August 9, 2010 City Council meeting. It was reviewed at the August 24, 2010 Technical Advisory Committee meeting and will receive a public hearing at the September 7, 2010 Advisory Plan Commission (the "APC") meeting.

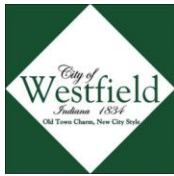
PROCEDURAL

CHANGE IN ZONING

- Requests for a change in zoning are required to be considered at a public hearing. The public hearing for this petition will be held on September 7, 2010 at the APC meeting.
- Notice of the September 7, 2010 public hearing was provided in accordance with the APC Rules of Procedure.
- The recommendation from the APC to the City Council may be made at the September 20, 2010 APC meeting.

DEVELOPMENT PLAN

- Requests for Development Plan Review are required to be considered at a public hearing. The public hearing for this petition will be held on September 7, 2010 at the Advisory Plan Commission meeting.
- Notice of the September 7, 2010 public hearing was provided in accordance with the APC Rules of Procedure.



PROJECT DESCRIPTION

The petitioner is the operator of an Italian restaurant, Delullo's Italian Bistro. The restaurant is a landmark in Jolietville and has most-recently been located at the southwest corner of State Road 32 and Joliet Road. The petitioner is seeking to move the restaurant across the street to a larger site, which could accommodate off-street parking for the business. The subject property is located on the north side of State Road 32, just west of Joliet Road (the "Property"). It is currently residential in use. The plans call for converting the existing residential structure into a restaurant and constructing a new parking lot north of the building (the "Project").

CHANGE IN ZONING (1009-REZ-01)

INDIANA CODE

Ind. Code 36-7-4-603 states that reasonable regard shall be paid to:

1. The Comprehensive Plan.

The Future Land Use Concept Map in the Westfield-Washington Township Comprehensive Plan (the "Comprehensive Plan") identifies the Property as being within the village of Jolietville. The Comprehensive Plan identifies "food and entertainment" as appropriate land uses within Jolietville. The proposed use of a restaurant is consistent with the Comprehensive Plan's recommendation for this area.

2. Current conditions and the character of current structures and uses.

The Property is currently residential. It is accessed by a private drive from State Road 32. The Property is improved with a detached single family residential structure and a detached garage.

3. The most desirable use for which the land is adapted.

The Comprehensive Plan identifies the potential for redevelopment to occur in the Jolietville area. Restaurants like Delullo's need visibility and passing traffic in order to be successful. The Property is located on State Road 32, which carries significant traffic in Washington Township.

4. The conservation of property values throughout the jurisdiction.

It is likely that property values throughout Washington Township will not be impacted by changing the zoning of the Property to General Business. Adjacent property, both to the east and south, is zoned for business uses. The Comprehensive Plan recommends this type of redevelopment to occur in Jolietville.



5. Responsible growth and development.

The petitioner has a need to relocate the business, and the opportunity to retain this existing Jolietville business is good economic development for the City of Westfield. Neighboring property to the east and to the south is zoned and used commercially. Public facilities such as water and sewer services are not yet to the area, but well and septic systems can serve the property until public facilities become available.

DEVELOPMENT PLAN REVIEW (1009-DP-09 & 1009-SIT-07)

DEVELOPMENT REQUIREMENTS (WC 16.04.165)

1. Zoning District Standards

	<u>PROPOSED</u>	<u>STATUS</u>
<u>Business Districts</u> (WC 16.04.050)		
A1. Group parking	NA	NA
A2. Dust-proof or hard-surface parking areas	Parking lot surface material not identified on plans	Staff is working with the petitioner to ensure compliance
A3. Rear alley part of rear yard	NA	NA
A4. Loading/Unloading areas not required if not necessary	NA	NA
A5. Parking permitted in front yard	NA	NA
A6. Through lot, front yards provided on each street in LB, GB & LB-H	NA	NA
A7. Max building height increased if setback from front and rear property lines an additional 1 ft per 2 ft increase	NA	NA
A8. Chimneys, cooling towers, etc = no maximum height	NA	NA
A9. Plant screening abutting residential (North & East)	Plant screening not provided	Staff is working with the petitioner to ensure compliance
A10. APC review and approval	Plans submitted for APC review and approval	Awaiting APC review and action
A11. No outside storage/display, except sidewalk sales	NA	NA
B. GO	NA	NA
C. GO-PD	NA	NA
D. LB	NA	NA



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E. LB-H	NA	NA
F. GB	NA	NA
F1. Special Requirements = None	NA	NA
F2. Permitted Uses	Restaurant	Compliant
F3. Special Exceptions	NA	NA
F4. Minimum Lot Area = None	1.3 acres	Compliant
F5. Minimum Lot Frontage on Road = 80'	Cannot determine – plans are not to a usable scale	Staff is working with the petitioner to ensure compliance
F6. Minimum Setback Lines <ul style="list-style-type: none"> Front Yard (S) = 60' Side Yard (W) = 60' Side Yard (E) = 60' Rear Yard (N) = 20' Min. Lot Width at Bldg Line = None 	<ul style="list-style-type: none"> NA NA NA NA NA 	<ul style="list-style-type: none"> NA NA NA NA NA
F7. Maximum Building Height = 60'	NA	NA
F8. Min. Ground Level Square Footage = None	NA	NA
F9. Parking (WC 16.04.120, 2)		
2a. Use – parking for passenger vehicles, patrons, occupants or employees	Parking for patrons, occupants, employees	Compliant
2b. Location – on same lot as structure	Parking on same lot as structure	Compliant
2c. Computation – fractional spaces	Acknowledged	Compliant
2d. Collective Provisions – separate uses may provide parking collectively	NA	NA
2e. Space Size – 10'x20'	10'x20' parking stalls	Compliant
2f. Access – 90 degree spaces = 24' aisle	<ul style="list-style-type: none"> 90 degree spaces Cannot determine – plans are not to a usable scale 	<ul style="list-style-type: none"> Compliant Staff is working with the petitioner to ensure compliance
2g. In Yards – allowed in front & side yards <ul style="list-style-type: none"> Blacktop Surfacing Cement Wheel Stops Access Ramps 	<ul style="list-style-type: none"> NA NA NA 	<ul style="list-style-type: none"> NA NA NA
2h. Surfacing – dustless material	Parking lot surface material not identified on plans	Staff is working with the petitioner to ensure compliance



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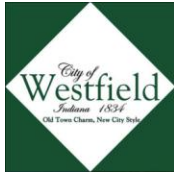
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2j. Required Spaces – 1 space per 3 seats, plus 1 space per employee on primary shift	22 spaces provided -- cannot determine compliance – number of seats and employee information not supplied	Staff is working with the petitioner to ensure compliance
F10. Loading/Unloading (WC 16.04.120,1) <ul style="list-style-type: none"> 1 berth per 5,000-10,000 sq. ft. of space 	<ul style="list-style-type: none"> 2,646 sq.ft. building, no berths provided 	<ul style="list-style-type: none"> NA
G. SB	NA	NA
H. LB-PD & GB-PD	NA	NA
I. General Variances	NA	NA
<u>2. Overlay District Standards</u>		
The Property does not fall within an overlay district.		
<u>3. Subdivision Control Ordinance</u>		
The Property is not being subdivided. The Subdivision Control Ordinance is not applicable.		
<u>4. Development Plan Ordinance</u> (WC 16.04.165, D3)		
a. <u>Site Access & Circulation</u>		
1. Access locations	Access from Joliet Road	Staff is working with the petitioner to ensure compliance
2. Safe & efficient movement to and from site	Vehicular access from Joliet Road; Pedestrian access not depicted	Staff is working with the petitioner to ensure compliance
3. Safe & efficient movement in and around site	Vehicular turn-around areas not provided. Pedestrian walks/crosswalks not depicted	Staff is working with the petitioner to ensure compliance



b. <u>Landscaping</u> (WC 16.06 et seq.)			
	<u>Required</u>	<u>Proposed</u>	<u>+/-</u>
On-Site			
Shade Trees	Cannot determine – plans are not to a usable scale	Cannot determine – plants not labeled	Staff is working with the petitioner to ensure compliance
Orn/Ev Trees	Cannot determine – plans are not to a usable scale	Cannot determine – plants not labeled	Staff is working with the petitioner to ensure compliance
Shrubs	Cannot determine – plans are not to a usable scale	Cannot determine – plants not labeled	Staff is working with the petitioner to ensure compliance
Road Frontage Shade Trees – ??' of frontage on SR 32	Cannot determine – plans are not to a usable scale	Cannot determine – plants not labeled	Staff is working with the petitioner to ensure compliance
Buffer Yard			
<u>North Buffer:</u>			
<ul style="list-style-type: none"> • Com. abutting SF-5. • 1 evergreen tree and 5 evergreen shrubs per 30 linear feet 	<ul style="list-style-type: none"> • 40' buffer yard • Cannot determine – plans are not to a usable scale 	<ul style="list-style-type: none"> • Cannot determine – plans are not to a usable scale • Cannot determine – plants not labeled 	<ul style="list-style-type: none"> • Staff is working with the petitioner to ensure compliance • Staff is working with the petitioner to ensure compliance



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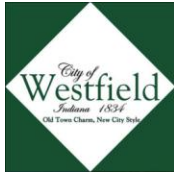
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<u>East Buffer:</u> <ul style="list-style-type: none"> • Com. abutting SF-5. • 1 evergreen tree and 5 evergreen shrubs per 30 linear feet 	<ul style="list-style-type: none"> • 40' buffer yard • Cannot determine – plans are not to a usable scale 	<ul style="list-style-type: none"> • Cannot determine – plans are not to a usable scale • Cannot determine – plants not labeled 	<ul style="list-style-type: none"> • Staff is working with the petitioner to ensure compliance • Staff is working with the petitioner to ensure compliance
<u>West Buffer:</u> <ul style="list-style-type: none"> • Com. abutting Ind. • 1 evergreen tree and 5 evergreen shrubs per 30 linear feet 	<ul style="list-style-type: none"> • 15' buffer yard • Cannot determine – plans are not to a usable scale 	<ul style="list-style-type: none"> • Cannot determine – plans are not to a usable scale • Cannot determine – plants not labeled 	<ul style="list-style-type: none"> • Staff is working with the petitioner to ensure compliance • Staff is working with the petitioner to ensure compliance
Interior Parking Lot (22 spaces = 4,400 square feet)	220 square feet of island space (1 tree:4 shrubs per island)	Cannot determine – plans are not to a usable scale; plants not labeled	Staff is working with the petitioner to ensure compliance
Perimeter Parking Lot			
North	Cannot determine – plans are not to a usable scale; plants not labeled	Cannot determine – plans are not to a usable scale; plants not labeled	Staff is working with the petitioner to ensure compliance
East	Cannot determine – plans are not to a usable scale; plants not labeled	Cannot determine – plans are not to a usable scale; plants not labeled	Staff is working with the petitioner to ensure compliance



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Wall-Softening (WC 16.06.040, K)	NA	NA	NA
c. <u>Lighting</u> (WC 16.07.010)		NA	NA
d. <u>Signs</u>			
Sign review and approval has been delegated to staff and will be reviewed administratively under a separate application and review process.			
e. <u>Building Orientation</u>		NA	NA
f. <u>Building Materials</u>		NA	NA
<u>Traffic Impact Study</u> (WC 16.04.1656, I9)		NA	NA
<u>5. Comprehensive Plan Compliance</u>			
The Future Land Use Concept Map in the Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”) identifies the Property as being within the village of Jolietville. The Comprehensive Plan identifies “food and entertainment” as appropriate land uses within Jolietville. The proposed use of a restaurant is consistent with the Comprehensive Plan’s recommendation for this area.			
<u>6. Street and Highway Access</u>			
Street and highway access is currently under review by the City.			
<u>7. Street and Highway Capacity</u>			
Street and highway capacity is currently under review by the City.			
<u>8. Utility Capacity</u>			
Utility capacity is currently under review by the City.			
<u>9. Traffic Circulation Compatibility</u>			
Staff is working with the petitioner to ensure proper vehicular circulation on the Property.			



<u>PUBLIC POLICIES</u>	
<u>Comprehensive Plan-Aug 2009</u> The Future Land Use Concept Map in the Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”) identifies the Property as being within the village of Jolietville. The Comprehensive Plan identifies “food and entertainment” as appropriate land uses within Jolietville. The proposed use of a restaurant is consistent with the Comprehensive Plan’s recommendation for this area.	
<u>Thoroughfare Plan- July 2010</u> The Westfield-Washington Township Thoroughfare Plan (the “Thoroughfare Plan”) roadway classification map identifies State Road 32 as a “Primary Arterial”, and recommends a minimum dedication of a seventy-five (75) foot half right-of-way.	
<u>Parks & Recreation Master Plan-Dec 2007</u> The Westfield Parks & Recreation Master Plan focuses on the build-out and development of the City’s existing parks and trail systems. The Parks Master Plan does not have specific plans for this Property.	
<u>Water & Sewer System</u> The Property is not served by City of Westfield water or sewer facilities. Private well(s) and a commercial septic system will be required until public facilities become available.	
<u>Annexation</u> The Property is within the corporate boundaries of the City of Westfield.	
<u>Well Head Protection-Ord. 05-31</u> The Property is not within a wellhead protection area.	



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Plan Documentation

Pending compliance with any conditions, the petitioner will have provided the required documents.

<u>Required Submittals</u>	<u>Original</u>	<u>Amended</u>	<u>Status</u>
Application	8/02/10	-	Submitted
Fees	8/02/10	-	Paid
Legal Description	8/02/10	-	Submitted
Consent Form	None	-	Being prepared
Site Plan	8/02/10	-	Revisions being prepared
Location Map	None	-	Being prepared
Landscape Plan	8/02/10	-	Revisions being made
Sign Plan	NA	-	NA
Lighting Plan	NA	-	NA
Building Elevations	NA	-	NA
Access & Circulation	8/02/10	-	Revisions being prepared
Traffic Impact Study	NA	-	NA

<u>Required Procedure</u>	<u>Original</u>	<u>Status</u>
Pre-Filing Conference	10/29/09	Meeting Held
TAC	08/24/10	Meeting Held
Notice - Sign on site	<i>Pending</i>	<i>Pending</i>
Notice- Newspaper	<i>Pending</i>	<i>Pending</i>
Notice -Mail	<i>Pending</i>	<i>Pending</i>

STAFF COMMENTS

1. Conduct the public hearing for the Change in Zoning case and the Development Plan/Site Plan Review case.
2. No action is required at this time.
3. If any APC member has questions prior to the public hearing, then please contact Kevin Todd at 379.6467 or ktodd@westfield.in.gov.

KMT